



City of Tigard

Tigard City Council Meeting Minutes

March 20, 2012

1. WORKSHOP/BUSINESS MEETING

A. Mayor Dirksen called the meeting to order at 6:38 p.m.

B. Roll Call

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Council President Buehner	✓	
Councilor Henderson	✓	
Councilor Wilson	✓	
Councilor Woodard	✓	

Staff Present: City Manager Wine; Assistant City Manager Newton; Redevelopment Project Manager Farrelly; City Engineer Stone; Engineering Manager McMillan; City Attorney Hall; Assistant Community Development Director Hartnett; Community Development Director Bunch; Principal Planner McGuire and City Recorder Wheatley

C. Pledge of Allegiance

D. Council Communications & Liaison Reports: None.

E. Call to Council and Staff for Non-Agenda Items: None.

2. DISCUSS THE MAIN STREET GREEN STREET PROJECT

Engineering Manager McMillan presented the staff report. Purpose for tonight's discussion:

A. Update the council on the project.

B. Address council concerns about the project.

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Engineering Manager McMillan presented a brief outline of the history of the project. The project was shared with the downtown business and property owners, who participated in the development of a parking plan for the downtown with the help of a parking consultant, Rick Williams. The parking plan was brought before the City Center Advisory Commission. As a result, the angled parking is to be retained in the downtown. This impacted the project design. The parking plan was brought to the City Council as recommended by those who participated in assembling the parking plan, which included retaining the angled parking. Status of the project is at 90 percent of the design.

Engineering Manager McMillan referred to a map depicting sidewalk layout with approximate widths.

Engineering Manager McMillan referred to an aerial map showing locations of the design elements once the project is done.

Engineering Manager McMillan advised a concern was expressed about the width of the sidewalk and placement of street trees. Staff has looked at moving the street trees from the sidewalk areas to the planter areas where possible and when the sidewalks are less than eight feet.

Engineering Manager McMillan said another concern was with street light locations. Street lights have been moved as close to the edge of the sidewalk as possible.

Council President Buehner noted a concern whether the sidewalks would allow for the widest of wheelchairs. Engineering Manager McMillan said the sidewalks all exceed the minimum 3-1/2 foot requirement; the proposed sidewalks are six-feet wide or more.

Engineering Manager McMillan referred to desired decorative improvements for the bridge. Staff proposes to address these improvements in a separate project outside of the grant; grant funds cannot be used since these improvements are not a green street feature. Funding has been included in the five-year Capital Improvement Program for the bridge railing, stone veneer, power washing and general upkeep.

Engineering Manager McMillan reported that the outfalls to the creek for storm water consist of three pipes; staff thinks only one of these pipes is active. After confirmation, the two inactive pipes will be cut back. The Capital Improvement Program (CIP) includes funding for a storm fall upgrade. The Department of Environmental Quality (DEQ) is pressing for this, so it is a timely project for the CIP. Councilor Wilson said he has looked at these outfalls and only one is active.

Engineering Manager McMillan asked for City Council questions noting staff would like to come away from this discussion with a direction for the project and respond to council members' concerns.

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Councilor Wilson said his biggest concern has always been with clear width of the sidewalk (concrete, not tree grates). To clarify, Engineering Manager McMillan said trees are not being eliminated from the plan, but moved to the bump outs. Staff will review both sides of the street's sidewalks to determine whether sidewalk space is adequate to accommodate both trees and pedestrians. Tree grates will not be counted as walkable space.

Councilor Wilson acknowledged the difficulty of trying to include everything from building face to building face. While he would like to see street trees installed the entire length of the street, if walkable space is compromised, he would be inclined to eliminate the trees. He said he realized the City Council gave staff direction to proceed with angled parking. He asked how many stalls would be lost with parallel parking? Engineering Manager McMillan estimated about 20 stalls would be eliminated. Councilor Wilson said he understands why business owners have concerns. In hindsight, he said he wished this had had more study about a year ago because this is preventing the installation of a streetscape that could accommodate everything. Perhaps those 20 stalls could have been identified with off-street parking throughout the downtown. The situation now is with a plan calling for tree grates where people will need to go around them single file. Councilor Wilson said the bottom line is to design a sidewalk so at least two people can walk side-by-side the entire length of the sidewalk.

City Manager Wine said the solution proposed tonight is to move the street trees into bump outs for a maximum sidewalk clearing.

Councilor Henderson asked if it would make sense to make adjustments for street trees and sidewalk clearance as development occurs. He pointed to a section near the creek as an example. During discussion, it was noted there is an elevation change at this location and Councilor Henderson said this is why he was suggesting re-alignment when future development occurs. City Manager Wine commented that the City Council in its role as the City Center Development Agency is considering projects such as the creation of a public plaza and this is separate from the Main Street Green Street project. Redevelopment Project Manager Farrelly confirmed that as redevelopment occurs, there will be an opportunity for wider sidewalks.

In response to a question from Councilor Wilson, Engineering Manager McMillan confirmed that the map before the City Council tonight does not show the new plans for trees in the bump outs. She advised the color coding on the map depicts tree types. Bump outs will be installed wherever possible for the trees and if the space is still too small to accommodate the tree and pedestrians, the tree might be deleted.

Mayor Dirksen said he appreciated the efforts to mitigate the sidewalk narrowness in certain areas. Moving the trees to the bump outs and deleting one or two of the trees to provide more sidewalk width is a good trade-off so pedestrians feel comfortable and safe.

Councilor Woodard referred to planters near the A-Boy building where trees have overgrown the planter. Engineering Manager McMillan said those trees will be removed and

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new trees planted with tree grates. The replacement trees will be planted lower than the tree grate to avoid pushing up of the soil and roots. Councilor Woodard said he likes the design presented tonight as it appears to do the most possible within the constraints.

Mayor Dirksen noted he also had the same concerns noted earlier with the storm outfalls. He did not understand the impacts and limitations under which we are working because of grant funding requirements. He appreciated identifying the need to address this matter as soon as possible in the future. He suggested that as work goes forward on the Main Street Green Street project, the additional work be completed in phases when possible. Mayor Dirksen said we should make it clear to people that even though some of the work has been completed, the entire project will not be considered done until the CIP projects are implemented.

Council President Buehner commented that she liked angled parking as it is part of the “old village” charm of the community. She said she has become more aware of issues for people with disabilities – getting in and out of vehicles in angled parking is easier to do with a wheelchair than when in a parallel-parking situation. As our population is aging, we will have more people who will need special assistance. She expressed support for the plan presented.

Councilor Woodard commented on bike-sharrow articles he recently read. He wondered if anything could be done within this plan to place signage (encouraging safety) for bikes to follow the rules of the road. He noticed people on bikes not stopping at stop signs. Council President Buehner suggested, at some point, to discuss with the city attorney whether a city ordinance would be appropriate to designate bicycle rules. Engineering Manager McMillan confirmed there will be bike sharrows included in this project. She advised there is an active “Bike-Ped” committee and public outreach could be accomplished by this committee. Discussion followed about concerns regarding bicyclists not complying with rules of the road.

Councilor Wilson said he had a question about the crosswalk near the eye-shaped turnaround and whether this is needed and is there a potential for a future crosswalk on the other side of the bridge. Engineering Manager McMillan said the crosswalk on the other side of the bridge could be installed when redevelopment occurs and a driveway eliminated since it would no longer be needed. This would include “clipping back” a storm water planter. Redevelopment Project Manager Farrelly said the turnaround crosswalk is of questionable value for the future since it does not provide a connection where people want to go. He said there is also an argument that having the crosswalk remain would offer another clue so traffic would slow down. Councilor Wilson said he did not care one way or another, but thought that since the bus stop moved, it might need to be reviewed. Engineering Manager McMillan explained that the bus stops are now in front of the liquor store and car wash; the four stops on Main Street have been reduced to two. In response to a comment from Council President Buehner that residents from the apartments will now have a longer walk to the bus stops, Engineering Manager McMillan said the stops were

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moved through working with TriMet. Engineering Manager McMillan said staff will be considering whether or not to eventually remove the turnaround crosswalk.

Councilor Wilson said he had concerns about tree selections and acknowledged he needs to send his suggestions to Engineering Manager McMillan. His concerns were based upon the selection of short-lived trees. Council President Buehner noted she did not want oak trees because they are ugly in the winter. Councilor Wilson complimented Engineering Manager McMillan on her work on the project.

City Manager Wine summarized that staff was holding at 90 percent design until they received guidance from the City Council about whether the project is shaping up the way the council envisioned. Mayor Dirksen said he was comfortable having staff move forward with the adjustments discussed.

In response to a question from Council President Buehner about timing of the project, Engineering Manager McMillan said staff hopes to go out to bid on this project in October 2012, but this is hinging on progress on right-of-way acquisitions – the Oregon Department of Transportation (ODOT) has not activated this task. The project could be pushed out to next year's calendar. Staff checked with Metro and this timing does not represent a problem with regard to funding (extension). Mayor Dirksen advised Council President Buehner that he thought a request to Oregon Department of Transportation (ODOT) to begin the right-of-way acquisition would be appropriate.

Councilor Henderson asked for clarification on the problems with the outfalls. Engineering Manager McMillan said there are three pipes coming out near the A Boy building, and only one is active. The pipes are unsightly. If there are two that are inactive, we should do whatever is appropriate for abandonment. For the active pipe, Engineering Manager McMillan said staff is concerned that it does not meet DEQ's best management practices. The pipe needs to be upgraded and input from Clean Water Services is expected in the next year or so. Councilor Wilson further described that this is about a ten-inch, bent steel pipe sticking out from the bank – it looks like an “industrial waste” object. There is erosion and the other two pipes are concrete. Since we are doing a green street, Councilor Wilson said he thought it would be a great idea to tell the story of where the water is going and to have a nice concrete sculptured feature; i.e., an energy dissipater to the creek. Mayor Dirksen commented on opportunities to turn a negative into a positive – he referred to some roof gutters that he has seen that are beautiful sculptures especially when there is water flowing. City Manager Wine summarized noting that in a future phase and with different funding, the bridge “betterments” and outfall improvements can be installed.

In response to a comment from Councilor Henderson, Engineering Manager McMillan said the green street project will reduce the amount of water runoff being discharged to the creek. She has scheduled a camera inspection of the two concrete pipes to determine if they have a purpose before plugging.

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Council President Buehner suggested that when Phase 1 is done, there be a beautiful sign indicating the plans to address projects in Phase 2. Engineering Manager McMillan agreed with the plan to do some public relations work along with looking at how Phase 2 and the storm water outfall is addressed. Councilor Wilson said it should not take long to build the outfall feature and could be done as soon as Phase 1 is completed. Engineering Manager McMillan said she would refer to the CIP to determine when this is scheduled for funding.

3. ANNUAL JOINT MEETING WITH THE PLANNING COMMISSION

Planning Commission members present: Commissioner Anderson (Vice President), Doherty, Fitzgerald, Muldoon, Schmidt, Shavey, Walsh (President). Alternate Planning Commission members present: Armstrong and Miller

Planning Commission President Walsh presented a report to the City Council

- Acknowledged the exemplary work by staff members supporting the Planning Commission.
- Reviewed progress on 2011 Planning Commission Goals and Committee for Citizen Involvement Activities (see report on file with the meeting materials). The Planning Commission is ready to move forward with this goal when the City Council indicates it is also ready.
- Reviewed progress on High Capacity Transit, especially with regard to the Tigard Triangle. Mayor Dirksen acknowledged the desire of the Planning Commission to proceed more quickly on this goal; however, because of the number of steps required, it is a slow process. Council President Buehner asked the Planning Commission to keep in mind HCT for the edges of the urban renewal district.
- Reported that when the Planning Commission has reviewed development as it relates to the Triangle, lack of infrastructure (transportation, sewer) is a stumbling block for developers. It is being installed piecemeal as development goes in. The Planning Commission would like to see some form of funding mechanism to lay in some of the infrastructure ahead of development.
- Commissioner Shavey suggested discontinuing use of the word “Triangle” when referring to the planning process and instead use the term “neighborhoods” as this would present a scale that would be more workable. Councilor Wilson agreed that the Triangle is “huge.” The economy is turning around and at this time apartment complexes are being built in Portland. Councilor Wilson said he was not aware of any developer looking at the Tigard area yet, but the opportunities are now there and we should be quick to capitalize on those. Planning Commissioner Walsh commented on the value of instituting a neighborhood feel into the area by providing a mix of retail, higher density residential areas and some form of mass transit. Council President Buehner cautioned that focusing on small areas holds the risk of losing sight of planning coordination for the Triangle as a whole.

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- Council President Buehner commented that the City Council and Planning Commission needs to be aware of what each group is thinking. She recommended more joint workshop meetings to discuss plans and to hear the same information at the same time. Commission President agreed with Council President Buehner regarding the need for more meetings and suggested that these meetings be held when there is a purpose rather than by a set date. He suggested a workshop format works best.
- Commissioner Muldoon referred to development funding opportunities that are now at low levels and it is unknown when there will be prospects to move forward.
- Commission President Walsh commented on the news that broke today about Wal-Mart coming into the Triangle area on a piece of property where a land use decision had been rendered when the use was to be for a Target store. He noted the amount of time the commission spent on this and the number of conditions placed on the development proposal. He said he thought this was a good project and that the staff and commission did all that they could to provide traffic infrastructure. He hoped the developer would be held accountable to the conditions agreed upon.
- Commissioner Shavey reported on commission's goal for outreach to neighboring jurisdiction. He met with a council member from the City of Beaverton to discuss economic development. He said Beaverton has staff assigned to work on economic development not only for new development, but to maintain existing businesses. He said Tigard does not have this type of resource assignment. To accomplish economic development outreach, the only option for Tigard is to "team up with our neighbors."
- Commissioner Doherty noted the similarity between the Commission's 2011 and 2012 goals. About two years ago, when first discussing the possibility of meeting with other planning commissions in the area, it was expressed that development planning (especially in the high-capacity transit corridor) should be coordinated as a region rather than constrained to planning by each jurisdiction.
- Commission President Walsh referred to the Planning Commission's role as the Committee for Citizen Involvement for development activities. He reported the commissioners received training and viewed a presentation under this role for public involvement and high-capacity land use.
- Commission President Walsh advised the Planning Commission updated its bylaws, which will be presented to the City Council. He reported on a couple of changes:

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1. The makeup of the Planning Commission was changed so the composition would include two members with expertise related design to assure the Downtown Design and Review Board function of the commission will be fulfilled.
 2. The Committee for Citizen Involvement role will also be included in the bylaws.
- Commissioner Doherty reviewed the 2012 goals. Goals were carried over from 2011 if the Commissioners felt they remained important. The commission gave priority to goals listed by the City Council. Her report highlighting 2012 goals included the following information:
 - Complete the urban forest revisions.
 - The high-capacity transit effort will be ongoing coordinating with Metro and the City of Portland regarding the Southwest Corridor.
 - Continuation of the regulatory improvement initiative and other code amendments.
 - Make progress on the downtown circulation plan.
 - Commission involvement in the River Terrace Community Plan when the time is appropriate.
 - Perform the periodic review of public facilities plans, housing, etc.
 - Tigard Triangle planning with focus on transportation and the high capacity transit issues.
 - Commissioner Shavey commented on priority with regard to planning for high capacity transit. He was schooled that land use planning governs and that transportation is provided to serve the land use. In working with agencies such as the Oregon Department of Transportation (ODOT), the tendency has been for transportation planning to lead land use planning.
 - Continue to seek economic development opportunities to continue to improve and protect Tigard's natural and built environment (sustainable assets).
 - Commissioner Muldoon commented on the commission's discussion on economic development and looking for cost-effective ideas keeping in mind the amount of resources that are available. He spoke of other cities' use of a gap analysis. He referred to cost input compared to the return and the significant steps forward that can be realized when comparisons are scaled according to the size of the community. Commissioner Doherty commented that Tigard does not have a lot of buildable land; however, there is land that appears ready for redevelopment.
 - Commissioner Shavey said we have to push ourselves to look for economic opportunities in downtown now that the window appears to be opening up. Many merchants are enthusiastic after recent visits by a planner and an events coordinator who have experience in sharing ideas and altering the perspectives of

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merchants in downtown areas. Council President Buehner referred to the dedicated meeting of the City Center Development Agency on the first Tuesday of each month. She said it would be great if a Planning Commission member could attend this meeting.

- Commissioner Doherty commented that many of the downtown merchants have begun holding some events to showcase the existing businesses.
- Commission President Walsh noted that for the last year the Commission did not review any development projects; in fact, there were five months last year when there were no Planning Commission meetings. Council President Buehner questioned whether it was time to take some of the decision-making back from a Hearings Officer to the Planning Commission.
- Commissioner Doherty said that, as resources permit, the commission would like to see technical abilities enhanced; i.e., online presentations, educational programs.
- Councilor Woodard praised the commission for the work they do. He referred to the educational efforts sought by the commission. He supported working with other communities to learn from their experiences in areas such as urban renewal.
- Councilor Wilson commented that one of the long-term council goals is to consider an urban renewal area for the 99W corridor. If light rail comes to Tigard, we will have a “local share” for around \$10 million making it more attractive to pursue as an urban renewal project. He suggested the Planning Commission might want to have some preliminary discussions on this idea.

The following is a business meeting item:

4. **APPROVE RIVER TERRACE INTERGOVERNMENTAL AGREEMENT AND ASSIGNMENT AGREEMENT WITH WASHINGTON COUNTY**

City Manager Wine presented background information and described the purpose for the two agreements, which will help us develop the Community Plan for the River Terrace annexation area. Present to answer council questions are City Attorney Hall, Assistant City Manager Newton and Community Development Director Bunch.

Information from City Manager Wine included:

- In 2002, Metro brought about 500 acres of land (Areas 63 and 64) into the urban growth boundary. An area known as the rural element was also brought into UGB.
- In 2011, the City of Tigard annexed the River Terrace area. Metro brought the 49 acres known as Roy Rogers West (a portion of the rural element) into the UGB.
- One of the proposed agreements has to do with the assignment of construction excise tax funding that Metro was holding for the county to complete the Community Plan.

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The assignment agreement conveys that funding source from the county to the city so the city can take over the planning duties to complete the Community Plan.

- The second proposed agreement represents the result of negotiations with Washington County that:
 - Delegates the planning responsibilities to the city;
 - The county commits a funding source specified in the assignment agreement;
 - The county will support the city's efforts to annex unincorporated islands;
 - At the county's request, the city will assume ownership of the roads within Tigard's jurisdictional boundaries (road transfer agreement).

Council President Buehner referred to a segment of Roshak Road (to be built). The county held an open house meeting last summer with a plan to re-route Bull Mountain Road at an intersection of Roshak for major improvements -- Roshak would become a major road and Bull Mountain Road would become a lesser road. When Council President Buehner mentioned this to staff, they had not heard of this. She wants to make sure that this is resolved with the county so that we are working cohesively.

Council President Buehner noted her appreciation for the wording in the IGA whereby the county is directing the city to annex the island areas. This will make going forward with island annexation much easier for the city.

Mayor Dirksen noted that Roshak Road is listed in the agreement as right of way for which the city would take responsibility. The segment of Roshak being referred to in the agreement is located in River Terrace and extends from the edge of Area 64 to Roy Rogers Road. This is not aligned with the now functional portion of Roshak Road. As suggested by Councilor Wilson, the City might want to consider re-naming this section of road to avoid confusion.

Mayor Dirksen asked if the City Council had any comments or questions of staff.

Council President Buehner said the only issue is that all of the exhibits do not show Roy Rogers West designated, which could create some confusion. Mayor Dirksen noted the "River Terrace" vicinity map does not show this separate designation. City Attorney Hall explained the two maps correspond to different periods of time. Council President Buehner said the maps need to be as consistent as possible for purposes of the future because other people will not have this history. In response to a question from Mayor Dirksen whether the maps need to be different for purposes of the agreement, City Attorney Hall said no, they do not need to be different.

Motion was made by Council President Buehner to approve the Intergovernmental Agreement, Coordination in Urbanizing Areas and Transfer of County Ownership with Washington County and authorize the City Manager to sign.

Councilor Wilson seconded the motion.

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The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Buehner	Yes
Councilor Henderson	Yes
Councilor Wilson	Yes
Councilor Woodard	Yes

5. PRELIMINARY DISCUSSION - OPTIONS FOR FILLING A VACANCY ON THE CITY COUNCIL

City Manager Wine advised council received two memorandums:

- March 19, 2012, memorandum from City Recorder Wheatley regarding Mayor/Council Vacancies – History
- March 20, 2012, memorandum from City Attorney Ramis regarding Charter Procedure for Filling Council Vacancies

Mayor Dirksen advised the reason behind this discussion is because after the May Primary Election, if he receives at least 50 percent of the vote to elect him to a Metro Council position, then there would be no need for a November run-off election. He would not begin serving on the Metro Council until January 2013. He said if he receives a 50 percent or greater margin of the vote in May, then he would tender his resignation as City of Tigard Mayor effective January 1, 2013. This would give the council a date certain for the vacancy so it could make decisions on how to fill the vacancy.

Highlights of the council discussion were:

- Councilor Henderson suggested the City Council take its time to think about a likely vacancy on the City Council. He recommended setting aside time to discuss this matter in a couple of weeks.
- Council President Buehner requested staff review the filing deadline dates as stipulated in the Tigard Municipal Code. She noted concerns with allowing enough time for candidates to prepare voters' pamphlet information and a code amendment might be in order.
- Further discussion on this topic will be schedule prior to May 15, 2012.

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6. COUNCIL LIAISON REPORTS

Mayor Dirksen advised he received an invitation to attend the U.S. Conference of Mayors in June. The City of Tigard is a member of this organization. In view of budget cuts, should this membership be discontinued? Mayor Dirksen noted Council President Buehner was of the opinion that we should be more active in the Conference. Presently he participates in online offerings; however, he is inactive insofar as committee membership and attending conferences. Mayor Dirksen has been approached by other mayors in the Portland area urging Tigard and the Portland region to become more active in the conference. This is a fairly select group that is now dominated by cities in the east and mid-west. It is a small enough group that if the cities in the Portland region were willing to make the effort, we could easily move into a leadership position where we could have a strong influence on the group's policy. This is a national organization with influence at the federal level.

Mayor Dirksen asked the City Council members if they would like to see the city continue our membership, increase our involvement and attend (mayor only) the June 2012 conference.

In response to a question from Councilor Woodard, City Manager Wine advised membership cost is \$2,600. He said it makes sense to remain as a member of the U.S. Conference of Mayors as long as it offers advantages for the city.

In response to a question from Councilor Wilson regarding how this organization differs from the National League of Cities, Council President Buehner advised membership is limited to cities over 30,000 in population. Mayor Dirksen said only the mayor can initiate any legislation or give policy input at the national level.

Because of the predominant east-coast and mid-west membership, the organization tends to focus on social issues rather than issues such as transportation and education funding. Mayor Dirksen said if the west coast were to become more influential, we would be able to influence the areas of focus.

After discussion, Mayor Dirksen noted there appears to be general support by the council to remain involved and perhaps increase our involvement with the U.S. Conference of Mayors. Mayor Dirksen said he would plan to attend the June conference. The organization has offered to waive the attendance fee.

7. NON AGENDA ITEMS: None.

8. EXECUTIVE SESSION: Not held.

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9. ADJOURNMENT: 8:26 p.m.

Motion by Councilor Henderson, seconded by Councilor Woodard, to adjourn the meeting.

The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Buehner	Yes
Councilor Henderson	Yes
Councilor Wilson	Yes
Councilor Woodard	Yes

Catherine Wheatley, City Recorder

Attest:

Mayor, City of Tigard

Date: _____

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